

Exhibit 10

RECORD OF PROCEEDINGS UNDER ARTICLE 15, UCMJ

For use of this form, see AR 27-10; the proponent agency is TJAG.

See Notes on Reverse Before Completing Form

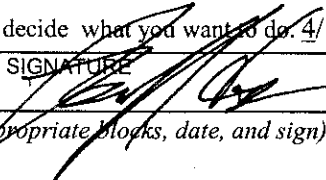
NAME AGUIGUI, Isaac G.	GRADE E-3	SSN [REDACTED]	UNIT HHC, 4TH BCT (R) (P) Fort Stewart, Georgia 31314	PAY (Basic & Sea/Foreign) \$1,729.80
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1. I am considering whether you should be punished under Article 15, UCMJ, for the following misconduct: 1/ In that you, did at or near Fort Stewart, Georgia, on or about 15 April 2011, without authority, fail to go at the time prescribed to your appointed place of duty, to wit: 1400 hrs, Formation at the Heritage Bank located at 32 Wurzburg Street. This is in violation of Article 86, UCMJ.

(SEE CONTINUATION SHEET)

2. You are not required to make any statements, but if you do, they may be used against you in this proceeding or at a trial by court-martial. You have several rights under this Article 15 proceeding. First I want you to understand that I have not yet made a decision whether or not you will be punished. I will not impose any punishment unless I am convinced beyond a reasonable doubt that you committed the offense(s). You may ordinarily have an open hearing before me. You may request a person to speak on your behalf. You may present witnesses or other evidence to show why you shouldn't be punished at all (*matters of defense*) or why punishment should be very light (*matters of extenuation and mitigation*). I will consider everything you present before deciding whether I will impose punishment or the type and amount of punishment I will impose. 2/ If you do not want me to dispose of this report of misconduct under Article 15, you have the right to demand trial by court-martial instead. 3/ In deciding what you want to do you have the right to consult with legal counsel

located at TDS, Bldg 621, (0900 Mon & Wed) You now have 48 hours to decide what you want to do. 4/

DATE <u>1540</u> TIME <u>29 APR 11</u>	NAME, GRADE, AND ORGANIZATION OF COMMANDER BRADLEY J. COOPER, CPT, HHC, 4TH BCT (R) (P)	SIGNATURE 
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3. Having been afforded the opportunity to consult with counsel, my decision are as follows: (*Initial appropriate blocks, date, and sign*)

a. ☐ I demand trial by court-martial.

b. ☐ I do not demand trial by court-martial and in the Article 15 proceedings:

(1) I request the hearing be ☐ Open ☐ Closed. (2) A person to speak in my behalf ☐ Is ☐ Is not requested.

(3) Matters in defense, mitigation, and/or extenuation: ☐ Are not presented ☐ Will be presented in person ☐ Are attached.

DATE	NAME AND GRADE OF SERVICE MEMBER ISAAC G. AGUIGUI, PFC	SIGNATURE
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4. In a(n) ☐ Open ☐ Closed hearing 5/ all matters presented in defense, mitigation, and/or extenuation, having been considered, the following punishment is imposed: 5/ 6/

5. I direct the original DA Form 2627 be filed in the ☐ Performance fiche ☐ Restricted fiche of the OMPF. 7/

6. You are advised of your right to appeal to the Cdr, 4TH BCT (R) (P) within 5 calendar days. An appeal made after that time may be rejected as untimely. Punishment is effective immediately unless otherwise stated above.

DATE	NAME, GRADE, AND ORGANIZATION OF COMMANDER BRADLEY J. COOPER, CPT, HHC, 4TH BCT (R) (P)	SIGNATURE
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7. (*Initial appropriate block, date, and sign*)

a. ☐ I do not appeal b. ☐ I appeal and do not submit additional matters 8/ 9/ c. ☐ I appeal and submit additional matters 8/ 9/

DATE	NAME AND GRADE OF SERVICE MEMBER ISAAC G. AGUIGUI,	SIGNATURE
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8. I have considered the appeal and it is my opinion that:

DATE	NAME AND GRADE OF JUDGE ADVOCATE	SIGNATURE
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9. After consideration of all matters presented in appeal, the appeal is:

☐ Denied ☐ Granted as follows: 10/

DATE	NAME, GRADE, AND ORGANIZATION OF COMMANDER	SIGNATURE
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10. I have seen the action taken on my appeal.

DATE

SIGNATURE OF SERVICE MEMBER

11. ALLIED DOCUMENTS AND/OR COMMENTS 11/ 12/ 13/
ERB, DA FORM 268, DA FORM 4856(4), DA FORM 2823

W/M

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See Notes on Reverse Before Completing Form

NAME AGUIGUI, Isaac G.	GRADE E-3	SSN [REDACTED]	UNIT HHC, 4TH BCT (R) (P) Fort Stewart, Georgia 31314	PAY (Basic & Sea/Foreign) \$1,729.80
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located at TDS, Bldg 621, (0900 Mon & Wed) You now have 48 hours to decide what you want to do. 4/

DATE <u>1540</u> TIME <u>29 APR 11</u>	NAME, GRADE, AND ORGANIZATION OF COMMANDER BRADLEY J. COOPER, CPT, HHC, 4TH BCT (R) (P)	SIGNATURE
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3. Having been afforded the opportunity to consult with counsel, my decision are as follows: (*Initial appropriate blocks, date, and sign*)

a. ☐ I demand trial by court-martial.

b. ☒ I do not demand trial by court-martial and in the Article 15 proceedings:

(1) I request the hearing be ☐ Open ☒ Closed. (2) A person to speak in my behalf ☐ Is ☒ Is not requested.

(3) Matters in defense, mitigation, and/or extenuation: ☐ Are not presented ☒ Will be presented in person ☐ Are attached.

DATE <u>0850</u> <u>5 MAY 2011</u>	NAME AND GRADE OF SERVICE MEMBER ISAAC G. AGUIGUI, PFC	SIGNATURE
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4. In a(n) ☐ Open ☒ Closed hearing 5/ all matters presented in defense, mitigation, and/or extenuation, having been considered, the following punishment is imposed: 5/ 6/ Reduction to the grade of E-2, Suspended to be automatically remitted if not vacated on or before 29 May 2011; Forfeiture of \$383.00 pay per month for one month, Suspended to be automatically remitted if not vacated on or before 29 May 2011; Extra duty for 14 days.

5. I direct the original DA Form 2627 be filed in the ☐ Performance fiche ☐ Restricted fiche of the OMPF. 7/

6. You are advised of your right to appeal to the Cdr, 4TH BCT (R) (P) within 5 calendar days. An appeal made after that time may be rejected as untimely. Punishment is effective immediately unless otherwise stated above.

DATE <u>0855</u> <u>5 MAY 2011</u>	NAME, GRADE, AND ORGANIZATION OF COMMANDER BRADLEY J. COOPER, CPT, HHC, 4TH BCT (R) (P)	SIGNATURE
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7. (*Initial appropriate block, date, and sign*)

a. ☒ I do not appeal b. ☐ I appeal and do not submit additional matters 8/ 9/ ☐ I appeal and submit additional matters 8/ 9/

DATE <u>0855</u> <u>5 MAY 2011</u>	NAME AND GRADE OF SERVICE MEMBER ISAAC G. AGUIGUI,	SIGNATURE
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8. I have considered the appeal and it is my opinion that:

DATE	NAME AND GRADE OF JUDGE ADVOCATE	SIGNATURE
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9. After consideration of all matters presented in appeal, the appeal is:

☐ Denied ☐ Granted as follows: 10/

DATE	NAME, GRADE, AND ORGANIZATION OF COMMANDER	SIGNATURE
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10. I have seen the action taken on my appeal.	DATE	SIGNATURE OF SERVICE MEMBER
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11. ALLIED DOCUMENTS AND/OR COMMENTS 11/ 12/ 13/
ERB, DA FORM 268, DA FORM 4856(4), DA FORM 2823

W/M

CONTINUATION SHEET 1, DA FORM 2627, PERTAINING TO PFC AGUIGUI, Isaac G., 509-06-7521, HHC, 4TH BCT (R)(P), 3RD ID, FORT STEWART, GA 31314

Item 1 (Cont'd)

In that you, did, at or near Fort Stewart, Georgia, on or about 12 March 2011, violate Section 3-3-23, Official Code of Georgia Annotated, adopted by the Federal Government through the Federal Assimilative Crimes Act by possessing and consuming an alcoholic beverage at a time when you were under the age of 21 years. This is in violation of Article 134, UCMJ.